

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

**NOTICE OF DOCUMENT DISCREPANCIES**

FILED

12 OCT 23 11:10 AM '12  
This space for  
File Stamp

TO: ☒ U. S. DISTRICT JUDGE / ☐ U. S. MAGISTRATE JUDGE

Hon. Roger T. Benitez  
SOUTHERN DISTRICT OF CALIFORNIA

FROM: D. Gilbert Deputy Clerk

RECEIVED DATE: 10/18/12

CASE NO.: 12-cv-02368-BEN- DOCUMENT FILED BY:

BY: David Mahrt DEPUTY

CASE TITLE: Moss, et al. V. McLucas, et al.

DOCUMENT ENTITLED: Answer to Plaintiff's Complaint By david Mahrt

Upon the submission of the attached document(s), the following discrepancies are noted:

<input checked="" type="checkbox"/> Local Rule	Discrepancy
<input type="checkbox"/> 5.1	Missing time and date on motion and/or supporting documentation
<input type="checkbox"/> 5.3	Document illegible or submitted on thermal facsimile paper
<input type="checkbox"/> 5.4	Document not filed electronically. Notice of Noncompliance already issued.
<input type="checkbox"/> 7.1 or 47.1	Date noticed for hearing not in compliance with rules/Document(s) are not timely
<input type="checkbox"/> 7.1 or 47.1	Lacking memorandum of points and authorities in support as a separate document
<input type="checkbox"/> 7.1 or 47.1	Briefs or memoranda exceed length restrictions
<input type="checkbox"/> 7.1	Missing table of contents
<input type="checkbox"/> 15.1	Amended pleading not complete in itself
<input type="checkbox"/> 30.1	Depositions not accepted absent a court order
<input type="checkbox"/>	Supplemental documents require court order
<input type="checkbox"/>	Default Judgment in sum certain includes calculated interest
<input checked="" type="checkbox"/>	<u>OTHER: No signature on Proof of Service</u>

Date forwarded: 10/18/12

**ORDER OF THE JUDGE / MAGISTRATE JUDGE**

**IT IS HEREBY ORDERED:**

☐ The document is to be filed nunc pro tunc to date received.

☒ The document is NOT to be filed, but instead REJECTED. and it is ORDERED that the Clerk serve a copy of this order on all parties.

Rejected document to be returned to pro se or inmate? ☐ Yes. Court Copy retained by chambers ☐

Counsel is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83.1

CHAMBERS OF: Judge Benitez

Dated: 10/19/12  
cc: All Parties

By: Law Clerk

David M. Mahrt  
6709 Eastmont Drive  
Redding, CA 96002  
T:(530) 378-2061

Defendant: IN PRO PER

**REJECTED**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

**BY FAX**

MARK S. MOSS, individually and on  
behalf of the Mark S. & Ellen R. Moss  
Family Trust and the Mark S. & Ellen R.  
Moss Charitable Remainder Unitrust,

Plaintiff.

Case No.: 12CV2368 BEN KSC

**ANSWER TO PLAINTIFF'S  
COMPLAINT BY  
DAVID M. MAHRT**

vs.

CHARLES J. MCLUCAS, an individual;  
DAVID M. MAHRT, an individual;  
YOSEMITE CAPITAL  
MANAGEMENT LLC, a California  
Limited Liability Company;  
CHARITABLE TRUST  
ADMINISTRATORS, INC., a California  
Corporation

Defendants.

**COMES NOW** the Defendant, DAVID M. MAHRT, an individual hereby answers the  
Complaint of Plaintiff's MARK S. MOSS, et al. ("Plaintiffs"):

1. Defendant denies each allegation set forth in paragraph 1.
2. Defendant denies specifically or based upon lack of information, the allegations set forth in paragraph 2.

**ORIGINAL**